

CLEAN WATER ACT2-14-D. Emergency TRO's

1. AUTHORITY. To refer requests for emergency Temporary Restraining Orders under the Clean Water Act (CWA) to the Department of Justice and to the appropriate United States Attorney.

2. TO WHOM DELEGATED. The Assistant Administrator for Enforcement and Compliance Assurance and the Regional Administrators.

3. LIMITATIONS.

a. The Regional Administrators must notify the Assistant Administrator for Enforcement and Compliance Assurance or his/her designee and the Assistant Administrator for Water or his designee when exercising this authority. With respect to spills under Section 311, the Assistant Administrator for Solid Waste and Emergency Response or his designee must also be notified.

b. The Assistant Administrator for Enforcement and Compliance Assurance must notify the Assistant Administrator for Water or his designee and the appropriate Regional Administrator or his/her designee when exercising this authority. With respect to spills under Section 311, the Assistant Administrator for Solid Waste and Emergency Response or his designee must also be notified.

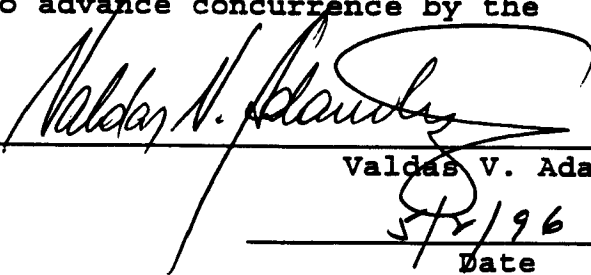
4. REDELEGATION AUTHORITY. This authority may only be redelegated to on-scene coordinators.

5. ADDITIONAL REFERENCES.

a. Memorandum of Understanding between the Agency and the Department of Justice, June 1977; Sections 309, 311, 402(h), 504 and 506 of CWA.

b. For referral of other civil actions under CWA, see Chapter 2 delegation entitled "Civil Judicial Enforcement and Administrative Penalty Collections Actions."

I, Valdas Adamkus, Regional Administrator, Region 5, having been duly delegated the authorities set forth under this delegation, redelegate these same authorities and responsibilities, subject to the conditions and limitations set forth in the above delegation, to the Director, Superfund Division, Region 5. Exercise of this authority is subject to advance concurrence by the Regional Counsel or designee.



Valdas V. Adamkus

5/2/96
Date